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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/659,585	09/11/2000	Robert Arthur Kottmeier Jr.	5793-3013	4493
22852	7590	10/28/2004	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 1300 I STREET, NW WASHINGTON, DC 20005			KRAMER, JAMES A	
			ART UNIT	PAPER NUMBER
			3627	

DATE MAILED: 10/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/659,585	KOTTMEIER JR. ET AL.	
	Examiner	Art Unit	
	James A. Kramer	3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15,23-37,45,46 and 48-145 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15,23-37,45,46 and 48-145 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-15, 23-37, 45-46 and 48-145 are rejected under 35 U.S.C. 103(a) as being unpatentable over McNeely et al. (hereinafter McNeely) in view of Basch et al. (hereinafter Basch).

McNeely teaches a multiple company credit card system. In particular in the card displays means of identifying the authorized user and means of determining banks, oil companies and/or other credit sources which have extended the user credit. Examiner notes that this teaching represents issuing a credit card to a cardholder with general purpose credit line (banks) and private label credit line (oil companies).

McNeely does not teach analyzing credit information of a cardholder to determine a level of risk and then establishing the general purpose revolving credit line and the private revolving credit line based on the determined level of risk, prior to issuing the credit card.

Basch teaches a financial risk prediction system and method. In particular Basch teaches that account issuers utilize credit scores from credit bureaus (column 1; lines 63-64), to analyze the risk of a potential borrower before establishing revolving credit lines (column 1; lines 35-50). This is done in order to minimize losses (column 1; line 48).

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It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of McNeely so that the credit sources utilized a risk based scoring system before establishing revolving credit lines as taught by Basch in order for the credit sources to minimize losses.

Response to Arguments

Applicant's arguments filed 10/8/04 have been fully considered but they are not persuasive. Applicant asserts that McNeely contains no disclosure or suggestion of at least the limitations of claim 128.

Examiner disagrees.

Applicant Limitation	McNeely et al.
Determining a particular merchant to be associated with the credit card;	On it (the card) are displayed means of identifying the authorized user and means of determining banks, oil companies and/or other credit sources which have extended credit to the user (column 2; lines 60-65). Examiner notes "extending credit to the user" is the equivalent to "establishing a first line of credit" and "establishing a second line of credit" and associating the first line of credit and second line of credit with the first credit limit and second credit limit. In addition, the title "multiple company credit card system" clearly indicates more than one credit limit.
Establishing a first line of credit associated with the credit card, wherein the first credit line is for purchase transactions associated with the particular merchant;	
Establishing a second line of credit associated with the credit card, wherein the second line of credit is for purchase transactions associated with merchants other than the particular merchant;	
Associating the first line of credit with a first credit limit and the second line of credit with a second credit limit, wherein the first credit limit is higher than the second credit limit;	
Determining, for each purchase transaction made by the consumer, whether the purchase transaction is to be associated with the first line of credit or with the second line of credit;	Chips provide information signals identifying the issuing creditor (column 4; lines 35-39) For example, the chip in the indicator representing a particular creditor could differ from the chips in the indicators representing other creditors (column 4; lines 40-42)

Providing an account statement to the consumer, wherein the account statement identifies which purchase transactions are associated with the first line of credit and the second line of credit, respectively;	The cardholder could read out the stored information using compatible decoding or reading equipment to provide himself with an accounting of all his credit transactions (column 4; lines 62-65).
wherein a payment received from the consumer is allocated to at least one of the first and second lines of credit	Examiner notes that it is inherent to a multiple company credit card that payment received from the user (consumer) is allocated to the appropriate credit line.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Kramer whose telephone number is (703) 305-5241. The examiner can normally be reached on Monday - Friday (8AM - 5PM).


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on (703) 305-4716. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James A. Kramer
Examiner
Art Unit 3627

jak


Richard Chilcot
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